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February 21, 2014

MEMO ENDORSED

Via ECF and Next Day Air

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601

RE: *Deskovic v. City of Peekskill, et al.*, 07-CV-8150(KMK)

USDC SDNY
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DATE FILED:

Dear Judge Karas:

I write on behalf of Plaintiff Jeffrey Deskovic to request that Plaintiff's counsel be permitted to file a short brief (no longer than ten pages) in opposition to Intervenor-Plaintiff New York Municipal Insurance Reciprocal's ("NYMIR") motion for summary judgment, filed on January 14, 2014.

As the Court is well aware, Plaintiff has an interest in the outcome of NYMIR's declaratory action in that the outcome of that action will determine whether NYMIR has a responsibility to continue to defend and indemnify Defendants Putnam County and Daniel Stephens, against whom Plaintiff is scheduled to proceed to trial in June. Although Plaintiff has not yet directly participated in the NYMIR summary judgment briefing, Plaintiff has paid close attention to the parties' submissions, which discuss Plaintiff's claims and damages at length. After reviewing the opposition papers filed on February 14, 2014, Plaintiff's counsel believes that we can provide additional information and authority that would be of assistance to the Court in ruling on this matter.

Accordingly, Plaintiff respectfully requests leave to file an opposition brief of no more than ten pages, due two weeks from the date that the Court's grants leave to file. //

Counsel for Defendants Putnam County and Daniel Stephens consents to this request. Counsel for Intervenor-Plaintiff NYMIR consents to this request as well, so long as NYMIR is permitted two weeks to reply to Plaintiff's submission.

Granted - Plaintiff's opposition brief is due by March 10, 2014.

So ordered,
AK MAZ

cc: All counsel (via email)

2/23/14

Respectfully submitted,

Farhang Heydari

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